

Remarks:

The most recent Official Action gave an action on the merits of Claims 1 through 5, 19 through 21 and 28 through 30 based on a final requirement for an election. Thus, the remaining claims previously presented have been canceled here subject to the right of applicant to present those claims in a continuing application.

The claims to the elected invention, here presented in either original or currently amended form, all stand rejected as anticipated by the teachings of Park U.S. Publication 2003/0158922 A1. It is respectfully submitted that this rejection is in error and should be withdrawn, with the claims as now presented being found allowable and passed to issue.

Referring now to Claim 1, the independent apparatus claim of the present application, one recited element is a non-volatile storage device. In asserting that this element is found in the teaching of Park, the Examiner references Figure 4 and paragraphs 0032 through 0049 of the Park description. Figure 4 is a flow chart of method steps, not a teaching of an apparatus, and is so identified in paragraph 0030. While applicant's undersigned attorney has diligently read paragraphs 0032 through 0049 (the bulk of the description of the preferred embodiments by Park) no teaching, disclosure or suggestion is there found that a non-volatile storage device is provided or that such a device stores information as now set forth with particularity in all the independent claims under consideration here. The element is simply absent from Park.

It is elementary that an anticipation rejection under 35 USC 102, to stand, must find within the four corners of a single document (here, Park) all elements of a claimed combination. The absence of any teaching, disclosure or even suggestion of a non-volatile storage device forces a conclusion that the proffered rejection is without adequate basis.

The method claims (19 through 21) and program product claims (28 through 30) have been here amended to recite the presence and use of a non-volatile storage device, patentably distinguishing these claims on the same basis as

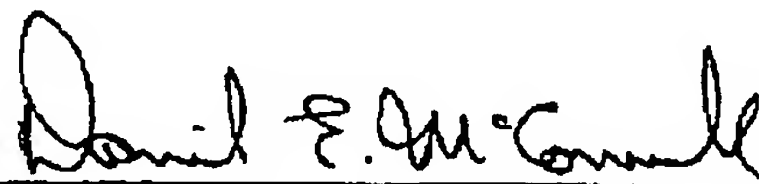
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apparatus claims 1 through 5.

For the reasons given, it is respectfully submitted that this application has been brought into condition for immediate allowance and that action is respectfully solicited

Respectfully submitted,

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